

**MINUTES OF THE COMMITTEE
ON
TORT REFORM**

Tuesday, June 20, 2006

9:30 a.m.

Room 519, House Office Building

The House Standing Committee on Tort Reform was called to order by the Chair, Representative Elsenheimer.

Members present: Representatives Elsenheimer, Gaffney, Hune, Adamini, McConico, Bieda.

Members absent/excused: Representatives Kahn, Huizenga.

Chairman Elsenheimer laid HB 5527 before the committee:

HB 5527 Gaffney Torts; product liability; FDA approval defense for drug products; provide for rebuttable presumption rather than absolute defense and provide grace period for bringing certain actions previously barred by the defense.

Representative Gaffney spoke to the committee in favor of his legislation.

Representative Hune moved to approve the minutes of the meeting held on June 6, 2006. Representative Bieda supported the motion. There being no objection the minutes were approved by unanimous consent.

Representative Bieda moved to excuse the absence of Representatives Kahn and Huizenga. Representative Hune supported the motion. There being no objection, the motion prevailed by unanimous consent.

Christine Satkowiak, cancer patient and drug side-effect sufferer, spoke in support of HB 5527.

Linda Teeter, Coordinator for Drug Industry Immunity Must End (DIIME), brought before the committee the following individuals to testify in support of HB 5527:

Leslie Richter, widow of a stroke victim.

Leslee Wiltjer, wife of a stroke victim.

Vicki Chamberlain, stroke victim.

All three individuals submitted written testimony to the committee.

Doug Peters, from Charfoos & Christensen, P.C. and representing the Michigan Trial Lawyers

Association, spoke in support of HB 5527. Mr. Peters also submitted written testimony.

The Chair announced that following individuals submitted testimony cards on HB 5527:

Mary Shine, breast cancer survivor, in opposition.

Kimberly Babinski, kidney transplant patient, in opposition.

Kathryne Shine, epilepsy patient, in opposition.

Caroline Ruddell, representing the Michigan Dental Association, in opposition.

Paul Duguay, representing the Michigan Association of Health Plans, in opposition.

Michael Witt, President of Technology Enterprise Development Company, Inc., in opposition.

Iris Linder, lupus patient, testified before the committee in opposition to HB 5527. Ms. Linder answered questions from committee members.

Paul O. Farr, MD, representing the Michigan State Medical Society, submitted written testimony in opposition to HB 5527.

There being no further business before the committee, the Chair adjourned the meeting at 10:35 a.m.

Representative Kevin Elsenheimer, Chair_____

Doug Simon, Committee Clerk

House Tort Reform Committee, (517) 373-0015